

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

In Re:	§	
SILICA PRODUCTS LIABILITY	§	
LITIGATION	§	MDL Docket No. 1553
	§	
	§	

ORDER NO. 32

IT IS HEREBY ORDERED:

1. "Certain Defendants' Motion to Continue the Stay of the Effective Date of the Remand Order" (Docket Entry No. 1967) is GRANTED. The cases listed in "Appendix A" of Order No. 29 will be remanded on September 29, 2005.
2. During phone conferences with Liaison Counsel on August 30 and 31, 2005, the parties have reported that they are unlikely to comply fully with Order No. 31 ¶ 13 (requiring the parties to compile an indexed list of all x-rays in the x-ray repository and/or document depository) by the ordered deadline of September 2, 2005. Based upon these phone conferences, the Court finds that the Watts Law Firm has acted with the utmost propriety in its role as custodian of the x-ray repository,¹ and that any unauthorized release of x-rays prior to the August 22, 2005 status conference was not the fault of the Watts Law Firm. On September 2, 2005 at 1:15 p.m., the Court

¹ As a favor to the Court, the Watts Law Firm volunteered to be custodian of the x-rays produced in this multidistrict litigation.

will conduct a telephone conference with Liaison Counsel concerning the status of the parties' compliance with Order No. 31 ¶ 13.

3. The deadlines concerning the taking of Plaintiffs' depositions set in Order No. 31 ¶ 3 and during the August 26, 2005 telephone conference in McManus v. Dependable Abrasives, S.D. Tex. Cause No. 2:05-cv-121, are STAYED due to the natural disaster caused by Hurricane Katrina. Liaison Counsel shall inform the Court when compliance with these Orders is feasible. All other deadlines remain in effect; however, if the recent disaster renders compliance with a deadline impracticable, the parties may request an extension through Liaison Counsel.

SIGNED and ENTERED this 31st day of August, 2005.

A handwritten signature in black ink, reading "Janis Graham Jack", is written over a horizontal line.

Janis Graham Jack
United States District Judge